

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

In re:

)

)

)

Case No.

)

Chapter

Debtor

**NOTICE OF MOTION**

\_\_\_\_\_ has filed papers with the court to \_\_\_\_\_.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before \_\_\_\_\_, you or your attorney must:

- ☐ Send to the parties listed below at least 14 days written notice of a hearing, which may be set on any regularly-scheduled motion day of the judge assigned to the case. If necessary, you may obtain a list of such dates by telephone from the clerk's office. The original and one copy of the notice must be filed with the clerk, accompanied by a motion day cover sheet, a copy of which may be obtained from the clerk. If you are not represented by an attorney, you may instead file with the clerk a written request for hearing. If you mail your request for hearing to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. The address of the clerk's office is as follows:

Clerk of Court  
United States Bankruptcy Court  
200 S. Washington Street  
Alexandria, Virginia 22314

You will be notified by the clerk of the hearing date and will be responsible for sending notice of hearing to the parties listed below.

- ☐ File with the court, at the address shown above, a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). **Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing.** If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must **also** mail a copy to the persons listed below.

- ☐ Attend the hearing scheduled to be held on \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_m. in Courtroom \_\_\_\_\_, United States Bankruptcy Court, 200 South Washington Street, Alexandria, Virginia 22314. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**
- ☐ A copy of any written response must be mailed to the following persons:
- ☐ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ United States Trustee, Region 4  
115 South Union Street, Suite 210  
Alexandria, VA 22314

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: \_\_\_\_\_

Signature, name, address and telephone number  
of person giving notice:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Virginia State Bar No. \_\_\_\_\_  
Counsel for \_\_\_\_\_

Certificate of Service

I hereby certify that I have this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, mailed or hand-delivered a true copy of the foregoing Notice of Hearing to the parties listed on the attached service list.

\_\_\_\_\_

Mary Washington Hospital  
120000 Kennedy Lane  
Ste 100  
Fredericksburg, VA 22407

Ocwen Loan Servicing  
Attn: Bankruptcy  
1661 Worthington Road, Suite 100  
West Palm Beach, FL 33409

ODC Recovery Services  
12000 Kennedy Lane  
Suite 100  
Fredericksburg, VA 22407

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

IN RE:

John Paul Rapier

*Debtor,*

)  
)  
)  
)  
)

**Case No. 18-12579  
Chapter 7**

**DEBTOR'S MOTION TO AVOID JUDICIAL LIENS ON REAL ESTATE**

**COMES NOW**, John Paul Rapier ("Debtor"), by counsel, and hereby moves this Court to avoid seven (7) judicial liens held by Mary Washington Hospital, Inc. ("Creditor") against Debtor's residence located at 89 Clark Patton Road, Fredericksburg, VA 22406 ("residence"), pursuant to 11 U.S.C. Sec. 522(f). The grounds are respectfully stated as follows:

1. Debtor commenced this case on 7/24/18 by filing a voluntary petition for relief under Chapter 7 of Title 11 of the United States Bankruptcy Code.
2. This court has jurisdiction over this motion, filed pursuant to 11 U.S.C. Sec. 522(f) to avoid and cancel a judicial lien held by on real property used as the debtor's residence, under 28 U.S.C. Sec. 1334.

**Judicial Lien #1**

3. On April 10, 2006, the Creditor recorded a judicial lien against the debtor's residence. The judgment was obtained on January 9, 2003 in the amount of \$817.34, plus costs of \$34.00, and is attached hereto as "Exhibit A".

**Judicial Lien #2**

4. On April 10, 2006, the Creditor recorded a judicial lien against the debtor's residence.

The judgment was obtained on January 9, 2004 in the amount of \$859.65, plus costs of \$35.00, and is attached hereto as “Exhibit B”.

**Judicial Lien #3**

5. On April 10, 2009, the Creditor recorded a judicial lien against the debtor’s residence. The judgment was obtained on February 14, 2003 in the amount of \$3,412.05, plus costs of \$34.00, and is attached hereto as “Exhibit C”.

**Judicial Lien #4**

6. On April 14, 2009, the Creditor recorded a judicial lien against the debtor’s residence. The judgment was obtained on February 24, 2009 in the amount of \$319.59, plus costs of \$51.00, and is attached hereto as “Exhibit D”.

**Judicial Lien #5**

7. On April 16, 2010, the Creditor recorded a judicial lien against the debtor’s residence. The judgment was obtained on January 26, 2010 in the amount of \$12,073.75, plus costs of \$51.00, and is attached hereto as “Exhibit E”.

**Judicial Lien #6**

8. On April 16, 2010, the Creditor recorded a judicial lien against the debtor’s residence. The judgment was obtained on October 1, 2002 in the amount of \$613.10, plus costs of \$32.00, and is attached hereto as “Exhibit F”.

**Judicial Lien #7**

9. On April 16, 2010, the Creditor recorded a judicial lien against the debtor’s residence. The judgment was obtained on February 23, 2010 against Luther Bruce Dalman in the amount of \$3,525.29, plus costs of \$53.00, and is attached hereto as “Exhibit G”. Mr. Dalman

subsequently passed away and debtor inherited his entire estate, including the residence and attached judgment liens.

8. The debtor's interest in the residence encumbered by the liens has been claimed as fully exempt in their bankruptcy case. A copy of the homestead deed recorded by Debtor is attached hereto as "Exhibit H".

9. The existence of the liens on debtor's real property, which total a value of \$21,060.67, impair exemptions to which the debtor(s) would be entitled under 11 U.S.C. Sec. 522(b).

WHEREFORE, Debtor, by counsel, respectfully requests that this Court enter an Order against Mary Washington Hospital avoiding and canceling their judicial liens in the above-mentioned property, and for such additional or alternative relief as may be just and proper.

AP LAW GROUP, PLC

/s/ Ashvin Pandurangi

Ashvin Pandurangi, Bar #86966

AP Law Group, PLC

7777 Leesburg Pike, Suite 402N

Falls Church, VA 22043

Tel: (571) 969-6540

Fax: (571) 699-0518

*Counsel for Debtor*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 30th day of January, 2019 a true copy of the foregoing *Motion to Avoid Judicial Lien* was sent via ECF to the Chapter 7 Trustee, and via first class mail, postage prepaid to the Registered Agent for the Creditor, MW Healthcare Registered Agent, LLC, at 2300 Fall Hill Ave., Suite 509, Fredericksburg, VA 22401.

/s/ Ashvin Pandurangi  
Ashvin Pandurangi, Esq.

EXHIBIT A

956 JD060001464



STAFFORD COUNTY CIRCUIT COURT

ABSTRACT OF JUDGMENT

CASE NUMBER: GV03003358-00

FREDERICKSBURG GENERAL DISTRICT COURT

PLAINTIFF(S)

V

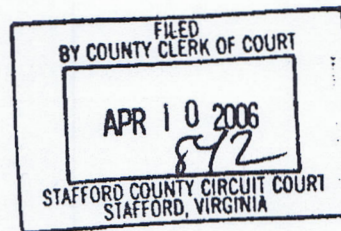
DEFENDANT(S)

MARY WASHINGTON HOSPITAL INC  
P O BOX 7667  
FRED VA 22404

NO SSN  
NO DOB

JOHN PAUL RAPIER  
89 CLARK PATTON ROAD  
FRED, VA 22406

NO SSN  
NO DOB



FILED  
CLERK OF COURT  
2006 APR -7 AM 11:01  
CIRCUIT COURT  
STAFFORD, VIRGINIA

THIS IS TO CERTIFY THAT A JUDGMENT WAS RENDERED IN THIS COURT IN FAVOR OF:

PLAINTIFF(S) AGAINST DEFENDANT(S) CONTAINING THE FOLLOWING TERMS:

DATE OF JUDGMENT: 06/13/03

AMOUNT OF JUDGMENT: \$817.34

OTHER AMOUNT: \$0.00

HOMESTEAD EXEMPTION WAIVED: ( ) YES (X) NO ( ) CANNOT BE DEMANDED

ALTERNATE VALUE OF SPECIFIC PROPERTY AWARDED: N/A

INTEREST: 9 % FROM 6/13/03

COSTS: \$34.00 ATTORNEY'S FEES:

ATTORNEY:

OTHER AWARDED: SA

I CERTIFY THE ABOVE TO BE A TRUE ABSTRACT OF A JUDGMENT RENDERED IN THIS COURT

1-27-05

Mary B. Bosh



EXHIBIT B

FORM JC-963 4/90 (01/14/04)

PAGE: 243

JD060001498

ABSTRACT OF JUDGMENT

CASE NUMBER: GV03013661-00



STAFFORD COUNTY CIRCUIT COURT

FREDERICKSBURG GENERAL DISTRICT COURT

PLAINTIFF(S)

U

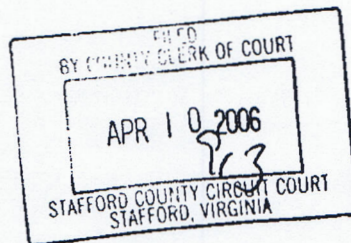
DEFENDANT(S)

MARY WASHINGTON HOSPITAL INC  
P O BOX 7667  
FRED VA 22404

NO SSN  
NO DOB

JOHN PAUL RAPIER  
89 CLARK PATTON ROAD  
FRED, VA 22406

NO SSN  
NO DOB



FILED  
CLERK OF COURT  
2006 APR -7 AM 10:56  
STAFFORD, VIRGINIA

THIS IS TO CERTIFY THAT A JUDGMENT WAS RENDERED IN THIS COURT IN FAVOR OF:

PLAINTIFF(S) AGAINST DEFENDANT(S) CONTAINING THE FOLLOWING TERMS:

DATE OF JUDGMENT: 01/09/04

AMOUNT OF JUDGMENT: \$859.65

OTHER AMOUNT: \$0.00

HOMESTEAD EXEMPTION WAIVED: ( ) YES (X) NO ( ) CANNOT BE DEMANDED

ALTERNATE VALUE OF SPECIFIC PROPERTY AWARDED: N/A

INTEREST: 9 % FROM 1/9/04

COSTS: \$35.00

ATTORNEY'S FEES:

ATTORNEY:

OTHER AWARDED: SA



EXHIBIT C

934  
Jah

JD060001499



STAFFORD COUNTY CIRCUIT COURT

ABSTRACT OF JUDGMENT

CASE NUMBER: GV02014735-00

EDERICKSBURG GENERAL DISTRICT COURT

V

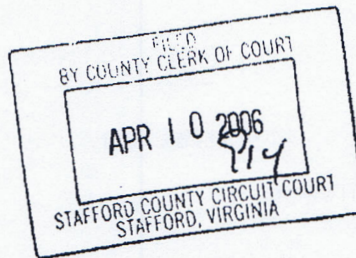
DEFENDANT(S)

MARY WASHINGTON HOSPITAL INC  
P O BOX 7667  
FRED VA 22404

NO SSN  
NO DOB

JOHN PAUL RAPIER  
89 CLARK PATTON ROAD  
FRED, VA 22406

NO SSN  
NO DOB



FILED  
CLERK OF COURT  
2006 APR -7 AM 10:56  
STAFFORD COUNTY  
STAFFORD, VIRGINIA

THIS IS TO CERTIFY THAT A JUDGMENT WAS RENDERED IN THIS COURT IN FAVOR OF:

PLAINTIFF(S) AGAINST DEFENDANT(S) CONTAINING THE FOLLOWING TERMS:

DATE OF JUDGMENT: 02/14/03

AMOUNT OF JUDGMENT: \$3,412.05

OTHER AMOUNT: \$0.00

HOMESTEAD EXEMPTION WAIVED: ( ) YES (X) NO ( ) CANNOT BE DEMANDED

ALTERNATE VALUE OF SPECIFIC PROPERTY AWARDED: N/A

INTEREST: % FROM 2/14/03

COSTS: \$34.00 ATTORNEY'S FEES:

ATTORNEY:

OTHER AWARDED: SA

I CERTIFY THE ABOVE TO BE A TRUE ABSTRACT OF A JUDGMENT RENDERED IN THIS COURT



EXHIBIT D

JD090001758

ABSTRACT OF JUDGMENT

CASE NUMBER: GV08005576-00



STAFFORD COUNTY CIRCUIT COURT

STAFFORD GENERAL DISTRICT COURT

PLAINTIFF(S)

V

DEFENDANT(S)

MARY WASHINGTON HOSPITAL  
PO BOX 7667  
FRED, VA 22404

NO SSN  
NO DOB

JOHN PAUL RAPIER  
89 CLARK PATTON RD  
FRED, VA 22406

NO SSN  
NO DOB

FILED  
CLERK OF COURT  
2009 APR -6 PM 1:01  
STAFFORD COUNTY

FILED  
CLERK OF COURT  
2009 APR -6 PM 1:01  
STAFFORD COUNTY

THIS IS TO CERTIFY THAT A JUDGMENT WAS RENDERED IN THIS COURT IN FAVOR OF:

PLAINTIFF(S) AGAINST DEFENDANT(S) CONTAINING THE FOLLOWING TERMS:

DATE OF JUDGMENT: 02/24/09

AMOUNT OF JUDGMENT: \$319.59

OTHER AMOUNT: \$0.00

HOMESTEAD EXEMPTION WAIVED: ( ) YES ( ) NO ( ) CANNOT BE DEMANDED

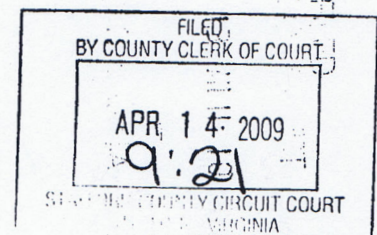
ALTERNATE VALUE OF SPECIFIC PROPERTY AWARDED: N/A

INTEREST: 6 % FROM DOJ

COSTS: \$51.00 ATTORNEY'S FEES:

ATTORNEY:

OTHER AWARDED:



I CERTIFY THE ABOVE TO BE A TRUE ABSTRACT OF A JUDGMENT RENDERED IN THIS COURT

3-18-09

*[Handwritten signature]*



EXHIBIT E

Stafford

JD100001877



STAFFORD COUNTY CIRCUIT COURT

ABSTRACT OF JUDGMENT

CASE NUMBER: GV09005557-00

STAFFORD GENERAL DISTRICT COURT

PLAINTIFF(S)

V

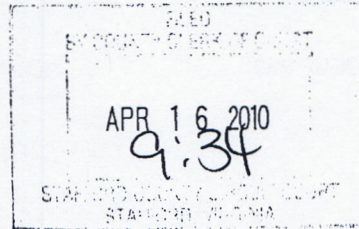
DEFENDANT(S)

MARY WASHINGTON HOSPITAL  
12000 KENNEDY LANE STE 100  
FRED, VA 22407

NO SSN  
NO DOB

JOHN PAUL RAPIER  
89 CLARK PATTON ROAD  
FRED, VA 22406

NO SSN  
NO DOB



FILED  
CLERK OF COURT  
2010 APR 15 09:19:55  
STAFFORD COUNTY, VA

THIS IS TO CERTIFY THAT A JUDGMENT WAS RENDERED IN THIS COURT IN FAVOR OF:

PLAINTIFF(S) AGAINST DEFENDANT(S) CONTAINING THE FOLLOWING TERMS:

DATE OF JUDGMENT: 01/26/10

AMOUNT OF JUDGMENT: \$12,073.75

OTHER AMOUNT: \$0.00

HOMESTEAD EXEMPTION WAIVED: ( ) YES ( ) NO ( ) CANNOT BE DEMANDED

ALTERNATE VALUE OF SPECIFIC PROPERTY AWARDED: N/A

INTEREST: 6 % FROM DOJ

COSTS: \$51.00 ATTORNEY'S FEES:

ATTORNEY:

OTHER AWARDED:

I CERTIFY THE ABOVE TO BE A TRUE ABSTRACT OF A JUDGMENT RENDERED IN THIS COURT

MAR 05 2010

SKelensmith



EXHIBIT F

JD030000214



STAFFORD COUNTY CIRCUIT COURT

ABSTRACT OF JUDGMENT

CASE NUMBER: GV02009464-00

527386

FREDERICKSBURG GENERAL DISTRICT COURT

PLAINTIFF(S)

DEFENDANT(S)

MARY WASHINGTON HOSPITAL INC  
P O BOX 7667  
FRED VA 22404

NO SSN  
NO DOB

JOHN PAUL RAPIER  
89 CLARK PATTON RD  
FRED, VA 22406

NO SSN  
NO DOB

1133

THIS IS TO CERTIFY THAT A JUDGMENT WAS RENDERED IN THIS COURT IN FAVOR OF

PLAINTIFF(S) AGAINST DEFENDANT(S) CONTAINING THE FOLLOWING TERMS

DATE OF JUDGMENT: 10/11/02

AMOUNT OF JUDGMENT: \$613.10

OTHER AMOUNT: \$0.00

HOMESTEAD EXEMPTION WAIVED: ( ) YES (X) NO ( ) CANNOT BE DEMANDED

ALTERNATE VALUE OF SPECIFIC PROPERTY AWARDED: N/A

INTEREST: ? X FROM 10/11/02

COSTS: \$32.00 ATTORNEY'S FEES:

ATTORNEY:

OTHER AWARDED: SA



EXHIBIT G

Stafford

JD100001879



ABSTRACT OF JUDGMENT

CASE NUMBER: GV09006670-00

STAFFORD COUNTY CIRCUIT COURT

STAFFORD GENERAL DISTRICT COURT

PLAINTIFF(S)

V

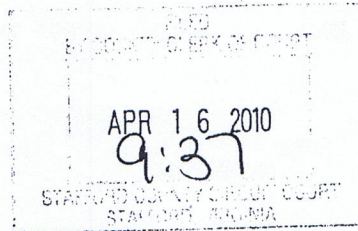
DEFENDANT(S)

MARY WASHINGTON HOSPITAL  
12000 KENNEDY LANE STE 100  
FRED, VA 22407

NO SSN  
NO DOB

LUTHER BRUCE DALLMAN  
89 CLARK PATTON RD  
FRED, VA 22406

NO SSN  
NO DOB



FILED  
CLERK OF COURT  
2010 APR 15 09:55  
STAFFORD COUNTY

THIS IS TO CERTIFY THAT A JUDGMENT WAS RENDERED IN THIS COURT IN FAVOR OF:

PLAINTIFF(S) AGAINST DEFENDANT(S) CONTAINING THE FOLLOWING TERMS:

DATE OF JUDGMENT: 02/23/10

AMOUNT OF JUDGMENT: \$3,525.79

OTHER AMOUNT: \$0.00

HOMESTEAD EXEMPTION WAIVED: ( ) YES ( ) NO ( ) CANNOT BE DEMANDED

ALTERNATE VALUE OF SPECIFIC PROPERTY AWARDED: N/A

INTEREST: 6 % FROM DOJ

COSTS: \$53.00 ATTORNEY'S FEES:

ATTORNEY:

OTHER AWARDED:

I CERTIFY THE ABOVE TO BE A TRUE ABSTRACT OF A JUDGMENT RENDERED IN THIS COURT

MAR 05 2010

*Sklenec-Smith*



**VIRGINIA LAND RECORD COVER SHEET**  
**FORM A - COVER SHEET CONTENT**

Instrument Date: 8/22/2018  
 Instrument Type: DH  
 Number of Parcels: 1 Number of Pages: 2  
☐ City ☒ County

STAFFORD

TAX EXEMPT? VIRGINIA/FEDERAL LAW

☐ Grantor: \_\_\_\_\_

☐ Grantee: \_\_\_\_\_

Consideration: \$0.00

Existing Debt: \$0.00

Actual Value/Assumed: \$0.00

**PRIOR INSTRUMENT UNDER § 58.1-803(D):**

Original Principal: \$0.00

Fair Market Value Increase: \$0.00

(Area Above Reserved For Deed Stamp Only)

Original Book Number: \_\_\_\_\_ Original Page Number: \_\_\_\_\_ Original Instrument Number: \_\_\_\_\_

Prior Recording At: ☐ City ☐ County

Percentage In This Jurisdiction: 100%

**BUSINESS / NAME**

1 ☐ Grantor: RAPIER, JOHN

☐ Grantor: \_\_\_\_\_

1 ☒ Grantee: HOMESTEAD

☐ Grantee: \_\_\_\_\_

**GRANTEE ADDRESS**

Name: HOMESTEAD

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: VA Zip Code: \_\_\_\_\_

Book Number: \_\_\_\_\_ Page Number: \_\_\_\_\_ Instrument Number: \_\_\_\_\_

Parcel Identification Number (PIN): 3572J Tax Map Number: 3572J

Short Property Description: \_\_\_\_\_

**Current Property Address:**

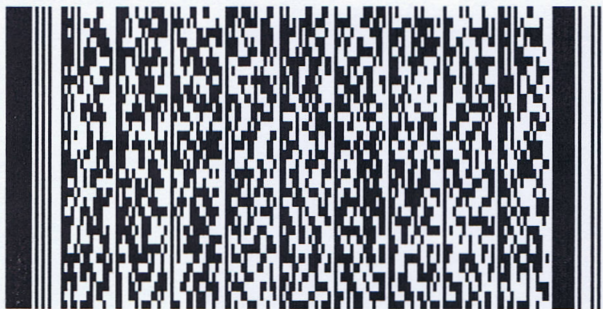
City: FREDERICKSBURG State: VA Zip Code: 22406

Instrument Prepared By: ASHVIN PANDURANGI Recording Paid By: JOHN RAPIER

Recording Returned To: JOHN RAPIER

Address: 89 CLARK PATTON RD

City: FREDERICKSBURG State: VA Zip Code: 22406







STAFFORD COUNTY CIRCUIT COURT

**HOMESTEAD DEED**

Name and Address of Householder(s):

**John Paul Rapier**  
**89 Clark Patton Rd.**  
**Fredericksburg, VA 22406**

Is the householder a disabled veteran entitled to claim the additional exemption under § 34-4.1? **NO**

Relationship(s) of dependent(s):  
**Son**

Age(s) of dependent(s):

County in which householder resides: **Stafford County**

Description of property claimed as exempt and its value:

**Description of Real Property:**

(See attached Schedule C for Statute Creating Exemption)

**Value:**

**135,700.00**

**89 Clark Patton Rd Fredericksburg, VA 22406 Stafford County**

**Total:**

**135,700.00**

**Description of Personal Property:**

(See attached Schedule C for Statute Creating Exemption)

**Value:**

**2001 Volvo V70 306,000 miles**

**750.00**

**2016 Chevy Impala 55,000 miles**

**15,000.00**

**Beds, couches, tables, dressers.**

**500.00**

**TV, cell phone, laptop.**

**500.00**

**Shotgun, rifle, handgun.**

**1,000.00**

**Clothing.**

**500.00**

**Checking: Wells Fargo**

**1,300.00**

**TheDryLife LLC**

**0.00**

**100 % ownership**

**401(k): Fidelity**

**4,000.00**

**MetLife**

**300,000.00**

**Beneficiary: Fadia Alhasani**

**American General**

**250,000.00**

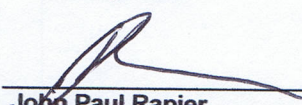
**Beneficiary: Fadia Alhasani**

**Total:**

**573,550.00**

Date **August 22, 2018**

Signature

  
**John Paul Rapier**  
Debtor

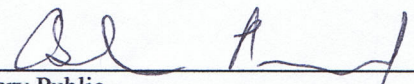
*Taxmap 35725*

*prepared by Ashvin Pandurangi 86966*



COMMONWEALTH OF VIRGINIA, City/County of Alexandria, to wit:

Acknowledged before me by **John Paul Rapier** this 22 day of August 2018

  
Notary Public

My Commission expires: 2/29/2020

Prepared by:

**Ashvin Pandurangi 86966**  
**AP Law Group, PLC**  
**7777 Leesburg Pike**  
**Suite 402N**  
**Falls Church, VA 22043**  
**5719696540 Fax:5716990518**

